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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,239	08/26/2003	Tadao Takami	241972US8	1755

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EXAMINER	
PARK, JEONG S	

ART UNIT	PAPER NUMBER
2454	

NOTIFICATION DATE	DELIVERY MODE
11/21/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/647,239	TAKAMI ET AL.	
	Examiner	Art Unit	
	JEONG S. PARK	2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9/2/2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 13-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 13-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 April 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Application No. 10/647,239 filed on 26 August 2003. The amendment presented on 2 September 2008, which amends claims 1 and 13-15, is hereby acknowledged. Claims 1-11 and 13-15 have been examined.

Response to Arguments

2. Applicant's arguments filed 2 September 2008, with respect to claim 1-11 and 13-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-11, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paul et al. (hereinafter Paul)(U.S. Patent No. 6,052,709) in view of He (Pub. No. US 2003/0182383 A1), and further in view of Sugiura (U.S. Pub. No. 2002/0184190 A1).

Regarding claim 1, Paul teaches as follows:

a mobile communication terminal, wherein a mobile communication terminal is interpreted as a user terminal (user terminal, see, e.g., col. 5, lines 46-48, reference character 130-132 in Figure 5) comprising;

a mail receiving means for receiving mail (an email storage database, reference character 206 in Figure 2, which receives and stores incoming email, see, e.g., col. 6, lines 26-29);

a detection conditions acquisition means for acquiring detection conditions data including a letter string (a spam probe, an email address which is a letter string, created by processor to identify sources of unsolicited email or spam, see, e.g., col. 4, lines 19-24) from a detection conditions distribution server (control center, see, e.g., reference character 101 in Figure 1, col. 5, lines 54-56) and storing the detection condition data in a detection conditions storage means (exclusion list manager, see, e.g., 202 in Figure 2, col. 5, lines 63-67)(alert signals received from the control center are automatically processed by the filtering application so that the source data extracted from the alert signals are automatically added to the stored exclusion list, see, e.g., col. 6, lines 17-25);

a detection means for performing detection processing for extracting the mail received by the mail receiving means (email storage, 206 in Figure 2) when a condition, in which the mail includes a letter string conforming to the letter string included in the detection condition data stored in the detection conditions storage means (exclusion list manager, 202 in Figure 2), is satisfied (filtering application, 200 in Figure 2, see, e.g., col. 5, lines 54-62); and

all detected mails are stored at a special folder in the user's in-box (see. e.g., col. 7, lines 1-8).

Paul does not teach of the detecting mail notification processing means for sending information that the mail has been extracted by the detection means to a detected mail notification receiving server.

He teaches as follows:

detected mail notification processing (a web-server based email message filter and notification system) means for sending information (message passes the criteria set by the user, see, e.g., page 3, paragraph [0031], lines 9-13) that the mail has been extracted by the detection means (email detection means, 6 in figure 1) to a detected mail notification receiving server (notification receiver, 11 in figure 1 and email server in figure 5, see, e.g., page 4, paragraph [0040], lines 1-6)(a web-server based email message filter and notification system sends a notification data signal to the email server, see, e.g., page 3, paragraph [0029], lines 1-6); and

email detection means (6 in figure 1, equivalent to applicant's detection means) and notification means (7 in figure 1, equivalent to applicant's detected mail notification receiving server)(see, e.g., page 3, paragraphs [0031] and [0032]). All of the component parts are known in He. The only difference between He's reference and the applicant's claim is the combination of the email detection means and the detected mail notification receiving server into a single device such as a mobile communication terminal applicant claimed.

Thus, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify Paul to include the detecting mail notification processing means as taught by He in order to save network cost to handle the email detections function

and notification function together within one single device such as applicant's mobile terminal and to handle locally the detecting mail notification processing.

Paul in view of He do not teach that a mail storage unit configured to store information indicating whether the mail has been extracted by the detection means and detection result information indicating a category of content of the mail that has been extracted.

Sugiura teaches as follows:

classifying emails into categories according to the contents of the emails and storing in the analysis result database (11 in figure 5)(see, e.g., page 3, paragraph [0057] and page 4, paragraph [0074]-[0076]).

It would be obvious to combine Paul in view of He with Sugiura in order to send the notification message indicating the filtered category of content of emails to recipients.

Regarding claim 2, Paul teaches the detection condition data includes a plurality of the letter strings (data categories, letter strings, are listed in the exclusion list, see, e.g., col. 6, lines 2-11, Figure 3).

Regarding claim 3, Paul teaches the list display means for displaying a list of information for identifying a plurality of mail received by the mail receiving means, respectively, in the list displaying, the list display means (user interface, 208 in Figure 2) displays information for identifying the mail extracted (first display code indicating the JUNK status of the message, see, e.g., col. 6, lines 46-49) by the detection means in a mode different that of mail not extracted (second display code indicating the OK status

of the message, see, e.g., col. 6, lines 54-56) by the detection means (see, e.g., col. 6, lines 26-58, Figure 2).

Regarding claim 4, Paul teaches the category information inputted by a user to the detection conditions distribution server (exclusion list manager, 202 in Figure 2)(user exclusion list is created and modified manually by the user and exclusion list manager creates and stores a user exclusion list, see, e.g., col. 5 line 63 to col. 6 line16).

Regarding claim 5, Paul teaches the detection condition selection control means for storing selection information (exclusion list manager stores the user exclusion list, see, e.g., col. 5, lines 63-67).

Regarding claims 6-8, Paul teaches as follows:

detected mail (JUNK status of the message) deletion means for deleting the mail received by the mail receiving means (the JUNK status of the message are automatically discarded by the filter (email filter, 204 in Figure 2), see, e.g., col. 6, line 64 to col. 7, line 1);

detected mail selection deletion means for providing a display for prompting a user to select whether or not to delete the extracted (display the message filtered out in a distinctive color in the user's in-box in order to decide whether or not to delete the message, see, e.g., col. 7, lines 1-8); and

first and second detected mail processing control means for storing information regarding whether the extracted mail is deleted with a display for prompting or without it

based on an input by an administrator to the mobile communication terminal (displays the alternatives in user's inbox, see, e.g., col. 6, line 64 to col. 7, line 8).

Regarding claim 9, Paul teaches all the limitations as presented above per claims 1-8.

Regarding claims 10 and 11, Paul teaches first detection conditions application control means for storing and acquiring detection condition application information, which regards whether is indispensable or being able to be selected by a user (email message marked with the first display code (JUNK mail) are further processed by the filter using user preference data entered by the user, see, e.g., col. 7, lines 16-36).

Regarding claim 13, Paul teaches as follows:

a detection conditions distribution server (control center, see, e.g., reference character 101 in Figure 1, col. 5, lines 54-56) for controlling detection condition data including a letter string for extracting specific mail received by a mobile communication terminal (a spam probe, an email address which is a letter string, created by processor to identify sources of unsolicited email or spam, see, e.g., col. 4, lines 19-24), comprising:

detected mail processing control unit configured to store information regarding distribution processing for specifying that each of a plurality of mobile communication terminals automatically deletes mail or that a user is allowed to select the deletion, when the mail received by each of the plurality of mobile communication terminals which acquires the detection condition data satisfy the condition in which the mail include letter strings conforming to the letter string included in the detection condition

data (display the message filtered out in a distinctive color in the user's in-box in order to decide whether or not to delete the message, see, e.g., col. 7, lines 1-8), based on specification by an administrator of each of the plurality of mobile communication terminals such that each piece of the information is associated with the information for identifying each of the mobile communication terminals (displays the alternatives in user's inbox, see, e.g., col. 6, line 64 to col. 7, line 8).

Paul teaches the filtering process performed for each user terminal (equivalent to the applicant's mobile communication terminal)(see, e.g., col. 8, line 44 to col. 9, line 4), therefore storing the information for identifying each of the mobile communication terminal is inherent in Paul's system because Paul's system cannot process for each user terminal without the information associated with the each user terminal.

Paul does not teach for sending the detected mail information to the detected mail notification receiving server.

He teaches as follows:

detected mail notification processing (a web-server based email message filter and notification system) means for sending information (message passes the criteria set by the user, see, e.g., page 3, paragraph [0031], lines 9-13) that the mail has been extracted by the detection means (email detection means, 6 in figure 1) to a detected mail notification receiving server (notification receiver, 11 in figure 1 and email server in figure 5, see, e.g., page 4, paragraph [0040], lines 1-6)(a web-server based email message filter and notification system sends a notification data signal to the email server, see, e.g., page 3, paragraph [0029], lines 1-6).

Thus, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify Paul to include the detecting mail notification processing means as taught by He in order to save network cost to handle the email detections function and notification function together within one single device such as applicant's mobile terminal and to handle locally the detecting mail notification processing.

Paul in view of He do not teach that a mail storage unit configured to store information indicating whether the mail has been extracted by the detection means and detection result information indicating a category of content of the mail that has been extracted.

Sugiura teaches as follows:

classifying emails into categories according to the contents of the emails and storing in the analysis result database (11 in figure 5, equivalent to applicant's mail storage unit)(see, e.g., page 3, paragraph [0057] and page 4, paragraph [0074]-[0076]).

It would be obvious to combine Paul in view of He with Sugiura in order to send the notification message indicating the filtered category of content of emails to recipients.

Regarding claim 15, Paul teaches as follows:

a mobile communication terminal (interpreted as user terminals, see, e.g., col. 5, lines 46-48, reference character 130-132 in Figure 5), comprising:

an interface configured to receive mail from a mail server (an email storage database, reference character 206 in Figure 2, which receives and stores incoming email, see, e.g., col. 6, lines 26-29);

detection conditions acquisition unit configured to acquire detection conditions data including a letter string (a spam probe, an email address which is a letter string, created by processor to identify sources of unsolicited email or spam, see, e.g., col. 4, lines 19-24) from a detection conditions distribution server (control center, see, e.g., reference character 101 in Figure 1, col. 5, lines 54-56)(exclusion list manager, see, e.g., 202 in Figure 2, col. 5, lines 63-67)(alert signals received from the control center are automatically processed by the filtering application so that the source data extracted from the alert signals are automatically added to the stored exclusion list, see, e.g., col. 6, lines 17-25);

a memory (database 202 in figure 2) configured to store the detection condition (user exclusion list is stored in the database, see, e.g., col. 6, lines 26-32); and

a processor configured to extract the mail received by the interface when a condition, in which the mail includes a letter string conforming to the letter string included in the detection condition data, is satisfied (filtering application, 200 in Figure 2, see, e.g., col. 5, lines 54-62 and col. 6, lines 26-32).

Paul does not teach for sending the detected mail information to the detected mail notification receiving server.

He teaches as follows:

detected mail notification processing (a web-server based email message filter and notification system) means for sending information (message passes the criteria set by the user, see, e.g., page 3, paragraph [0031], lines 9-13) that the mail has been extracted by the detection means (email detection means, 6 in figure 1) to a detected

mail notification receiving server (notification receiver, 11 in figure 1 and email server in figure 5, see, e.g., page 4, paragraph [0040], lines 1-6)(a web-server based email message filter and notification system sends a notification data signal to the email server, see, e.g., page 3, paragraph [0029], lines 1-6).

Thus, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify Paul to include the detecting mail notification processing means as taught by He in order to save network cost to handle the email detections function and notification function together within one single device such as applicant's mobile terminal and to handle locally the detecting mail notification processing.

Paul in view of He do not teach that a mail storage unit configured to store information indicating whether the mail has been extracted by the detection means and detection result information indicating a category of content of the mail that has been extracted.

Sugiura teaches as follows:

classifying emails into categories according to the contents of the emails and storing in the analysis result database (11 in figure 5, equivalent to applicant's mail storage unit)(see, e.g., page 3, paragraph [0057] and page 4, paragraph [0074]-[0076]).

It would be obvious to combine Paul in view of He with Sugiura in order to send the notification message indicating the filtered category of content of emails to recipients.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over He (Pub. No. US 2003/0182383 A1) in view of Sugiura (U.S. Pub. No. 2002/0184190 A1), and further in view of Kitaura et al. (hereinafter Kitaura)(Pub. No. US 2002/0091569 A1).

Regarding claim 14, He teaches as follows:

a detected mail notification receiving server (notification receiver, 11 in figure 1 and email server in figure 5, see, e.g., page 4, paragraph [0040], lines 1-6), comprising:

detected mail receiving unit (notification receiver, 11 in figure 1, see, e.g., page 3, paragraph [0032], lines 11-16) configured to receive information regarding mail including a first letter string conforming to a second letter string for detecting specific mail (message passes the criteria set by the user, see, e.g., page 3, paragraph [0031], lines 9-13) which is sent by a mobile communication terminal (email enabled machine, 2 in figure 1, is interpreted as any email enabled mobile machines); and

it is inherent that notification receiving server (email server) is connected to networks.

He does not teach that a mail storage unit configured to store detection result information indicating a category of content of the mail.

Sugiura teaches as follows:

classifying emails into categories according to the contents of the emails and storing in the analysis result database (11 in figure 5)(see, e.g., page 3, paragraph [0057] and page 4, paragraph [0074]-[0076]).

It would be obvious to combine He with Sugiura in order to send the notification message indicating the filtered category of content of emails to recipients.

He in view of Sugiura do not teach communication charge return instruction means.

Kitaura teaches as follows:

calculating means to determine amount of charge should be returned (the coupon service server calculates the amount to be rebated to the user based on the sales slip data stored in the usage information database, see, e.g., page 12, paragraph [0175], lines 1-3);

this rebate could be refunded as a reduction of the monthly cellular phone communication charges wherein the communication charges including all services provided such as emailing, texting, Internet browsing and calling (see, e.g., page 12, paragraph [0175], lines 4-5); and

the coupon service server generates discount statements (interpreted as the communication charge return instruction) and sends to the billing and payment processor (functioning as the billing control server 158 in figure 12) to generate bill statements (see, e.g., page 12, paragraph [0175], lines 7-12 and 17-18).

Also it would have been obvious for one of ordinary skill in the art at the time of the invention to include the communication charge returning means to return or give credit for the communication charge of the filtered out email if a mobile terminal charged per each email.

Further, it is inherent to include billing system associated with any communication system for handling all the billing information regarding charging or giving credit for communication service provided for each mobile terminal.

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine He in view of Sugiura with Kitaura to include communication charge return instruction as taught by Kitaura in order to improve customer's satisfaction by the refund of communication charges for the unwanted emails distribution, which is also inherently predictable results caused by the unwanted emails distribution.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2454

November 18, 2008

/Joseph E. Avellino/
Primary Examiner, Art Unit 2446